

**GREENBERG TRAURIG, LLP**

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as Co-Trustees of the AremisSoft Liquidating Trust, Plaintiffs*

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY**

JOSEPH P. LASALA and  
FRED S. ZEIDMAN, as CO-  
TRUSTEES of the AREMISSOFT  
CORPORATION LIQUIDATING  
TRUST,

Plaintiffs

v.

MARFIN POPULAR BANK PUBLIC  
COMPANY, LTD.,

Defendant.

Civil Action No.  
09-CV-00968 (JAP)

**CERTIFICATION OF HAL M. HIRSCH PURSUANT TO N.J.  
LOCAL RULE 37.1(B), AND IN SUPPORT OF PLAINTIFFS'  
MOTION FOR AN ORDER REQUIRING DEFENDANT TO RETAIN  
AND PRESERVE DOCUMENTS, RECORDS AND DATA**

HAL M. HIRSCH, certifies under penalty of perjury as follows:

1. I am a shareholder of Greenberg Traurig, LLP, attorneys for Plaintiffs Joseph P. LaSala and Fred S. Zeidman as Co-Trustees of the AremisSoft Liquidating Trust (the "Trust"). I am a member in good standing of the Bar of the State of New Jersey and of this Court.

2. I submit this Certification, in part, pursuant to District of New Jersey Local Rule 37.1(b).

3. On May 18, 2009 I spoke telephonically with Todd S. Fishman of Allen & Overy, LLP, counsel for Defendant. We discussed the issues presented in the instant motion in an attempt to reach agreement without intervention by the Court.

4. On May 21, 2009, Mr. Fishman informed me that after discussing the relief sought in the motion with his client, it is the Defendant's position that it not voluntarily agree to the relief sought by the Trust. Therefore, the Trust now respectfully seeks relief from the Court.

5. I also submit this Certification for the purpose of submitting to the Court copies of documents cited in the accompanying Memorandum of Law in Support of Plaintiffs' Motion for an Order Requiring Defendant to Retain and Preserve Documents, Records and Data.

6. Attached hereto as Exhibit “A” is a true and correct copy of a letter dated June 30, 2005 by the Trust’s Cypriot counsel to the Defendant .

7. Attached hereto as Exhibit “B” is a true and correct copy of an Order of the High Court of Justice, Queens Bench Division, Commercial Court, United Kingdom, dated November 3, 2005.

8. Attached hereto as Exhibit “C” is a true and correct copy of a letter from the Defendant to counsel for the Trust, dated November 9, 2005.

9. Attached hereto as Exhibit “D” is a true and correct copy of an Order of the Eastern Caribbean Supreme Court in the High Court of Justice, British Virgin Islands, dated November 8, 2005.

10. Attached hereto as Exhibit “E” is a true and correct copy of a letter from the Defendant to counsel for the Trust, dated May 16, 2006.

11. Attached hereto as Exhibit “F” is a true and correct copy of a letter from counsel to the Trust to the Defendant, dated June 13, 2008.

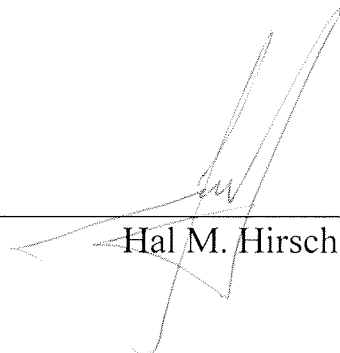
12. Attached hereto as Exhibit “G” is a true and correct copy of a letter from the Defendant to counsel for the Trust, dated June 8, 2008.

13. Attached hereto as Exhibit "H" is a true and correct copy of a Subpoena for Deposition Pursuant to Rule 2004, dated December 3, 2008.

14. Attached hereto as Exhibit "I" is a true and correct copy of a portion of the transcript from the deposition of Nicos Paphitis, dated December 18, 2008.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on this 21<sup>st</sup> day of May, 2009.



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Hal M. Hirsch